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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,344	11/03/2003	Andrew L. Cote SR.	1600/163	5277
2101	7590	06/03/2005	EXAMINER	
BROMBERG & SUNSTEIN LLP 125 SUMMER STREET BOSTON, MA 02110-1618			SIRMONS, KEVIN C	
			ART UNIT	PAPER NUMBER
			3763	
DATE MAILED: 06/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.



## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13, 16, 17, 18-27, 29, 30, 37, 38, 40-47, 49-52 and 54-62 are rejected under 35 U.S.C. 102(b) as being anticipated by Leason et al U.S. Pat. No. 5,360,413.

Leason discloses a housing defining a passageway, the passageway having an inlet and an outlet section (10); a plug member movably mounted within the passageway (24); and a substantially flexible, resilient gland member secured about at least a portion of the plug member (18), wherein the gland has a seal section (top portion of fig. 1); further wherein the inlet section of the housing has an exterior inlet face (fig. 1) the seal section being substantially aligned with the exterior inlet face when the valve is closes to provide a swabbable surface (fig. 1); as to claim 16, (fig. 7); as to claim 17, (24), at to claims 18-24 (fig. 3 and 7); as to claim 37, 38, 40-47, 49-52 and 54-62, (see above rejections).

As to claim 25, a housing defining a passageway, the passageway having an inlet and an outlet section (10); a plug member movably mounted within the passageway (18); the plug member having a first and a second end (18) at least one of the first and second ends formed to substantially seal the passageway when in the

closed mode; and a gland member disposed over at least one of the first and second ends of the plug (24); as to claims 26-27, 29 and 30, (figs. 3 and 7).

### ***Allowable Subject Matter***

Claims 1-7 and 10-12 are allowable over the prior art of record.

Claims 15, 28, 39, 48 and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-7, 10-13, 15-30 and 37-62 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period;

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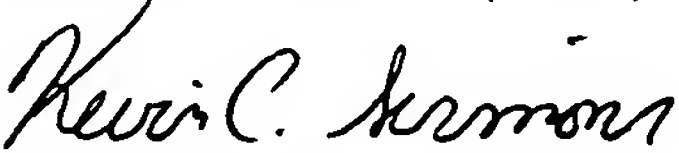
then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin C. Sirmons whose telephone number is 571-272-4965. The examiner can normally be reached on Monday-Friday 6:30-4:00 ALT FRI.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

  
Kevin C. Sirmons  
Primary Examiner  
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